

REMARKS

Claims 21, 22, 24, 31-35, 38, 39, 41, 43, 44, 45, and 48-52 have been elected and examined. Of the elected claims, claims 21, 31, 35, 38, and 43 are independent. Claim 55 has been added.

Allowable Subject Matter

The Examiner is thanked for indicating that claims 41, 44, and 45 are allowable.

Generic Claims

Provided that generic claims are found allowable, Applicants request consideration of claims to additional species.

Claim Rejection - 35 USC 112

Claims 21, 22, 24, 51, and 52 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants have amended claim 21 to alleviate the apparent unclear language. Accordingly, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Summary of Substance of Telephone Conversation

The Examiner is thanked for conducting a telephone interview in order to clarify the rejections of claim 21, as well as to verify the claims rejected under obviousness-type double patenting.

Claim Rejection - Double Patenting

Claims 31, 32, 34, 38, 39, 43, and 48-50 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 18 and 46 of U.S. Patent No. 6,281,952 (Application No. 09/217,931). Note that claim 33 is also included in the rejection.

Claims 24, 33, 35, 51, and 52 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 69 and 73 of Application No. 10/177,149. Note that claims 21, 22 and 31 are included in the rejection.

Because claims have been rejected based on prior art, and claim 21 has been rejected under 35 U.S.C. 112, second paragraph, Applicants will not file a terminal disclaimer at this time. Instead, Applicants reserve the right to file a terminal disclaimer at a later time, as necessary, based on the state of otherwise allowable claims.

Claim Rejection - 35 USC 102

Claim 21 has been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,211,992 (Van Aerle). Applicants respectfully traverse this rejection.

Claim 21 is directed to a liquid crystal display device comprising, among other things, at least some pixels that include a light reflecting display section and a light transmitting display section. The light reflecting display section of at least some pixels has different transmittance than the light transmitting display section of the corresponding pixel.

The Office Action indicates that Figures 2 to 4 of Van Aerle teach one of ordinary skill in the art that light transmittance is substantially zero at the reflecting display section, which would be a different transmittance than the light transmitting display section of a corresponding pixel.

Claim 21 has been amended to clarify the meaning of a light reflecting display section of at least some pixels that have a different transmittance than the light transmitting display section of the corresponding pixel. In particular, claim 21 now recites that "transmittance with respect to the color filter is different between said light transmitting display section and said light reflecting display section." In other words, the amended claim clarifies that the transmittance of the light reflecting display section of pixels is the transmittance with respect to a color filter in the light reflecting display section. Further, the claim has also been amended to recite a difference in number of times that light passes through the respective color filter.

Description of exemplary subject matter that corresponds to the claimed features can be found in the present specification on page 203, line 1, to page 205, line 5, and page 209, line 18, to page 212, line 19, which describe the relationship between, for example, the luminous transmittance and the brightness, and between the light transmittance and the spectral transmittance.

Applicants submit that Van Aerle fails to teach or suggest at least the claimed difference in transmittance between color filters of the light reflecting display section and color filters of the light transmitting display section. Instead, Van Aerle is concerned with improvements in transmission efficiency (Abstract), for example, by (i) causing a wavelength of the light source to be in line with a transmission peak of the green color filter, (ii) making green picture elements larger than red or blue picture elements, and (iii) providing openings in the green picture elements.

Further with respect to claim 22, Applicant submits that Van Aerle fails to teach or suggest transmittance of the light reflecting display section, i.e., transmittance of associated color filters, being greater than the transmittance of the light transmitting display section. Unlike Van Aerle, the present invention takes into account the number of times light passes through each respective color filter in providing a predominately transmission display.

Accordingly for at least the reasons above, Applicants request that the rejection be reconsidered and withdrawn.

New Claim

Claim 55 has been added to cover an arrangement in which the light reflecting display section and light transmitting display section are provided in each of the R, G, B pixels. Van Aerle, on the other hand teaches an opening only in the G picture element. Applicants submit that the subject matter of claim 55 applies to species A or species B.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No. 48,222) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Charles Gorenstein, Reg. 29,271

RWD
CG/RWD/ph
1248-0700P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000